

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:
MARWAN NOWEDER AND HANAN
NOWEDER

Case No. 19-03338
Chapter 13
Judge Pamela S. Hollis

Debtors.

Confirmation hearing:
5/03/2019 11:30 a.m.

**THE MASTER OPERATING ASSOCIATION OF CHURCHILL CLUB'S OBJECTION
TO CONFIRMATION OF DEBTORS' CHAPTER 13 PLAN
FILED FEBRUARY 8, 2019**

Now comes a certain Creditor, THE MASTER OPERATING ASSOCIATION OF CHURCHILL CLUB, by and through its attorney, Benjamin J. Rooney of Keay & Costello, P.C., and for its objection to Debtors' chapter 13 plan filed February 8, 2019 states as follows:

1. The Master Operating Association of Churchill Club (hereinafter referred to as "CHURCHILL CLUB MASTER"), is a claimant-creditor of the Debtors and brings this motion pursuant to 11 U.S.C. 1324 and 1325.
2. On March 7, 2019, CHURCHILL CLUB MASTER filed its proof of claim with respect to Debtors' obligation to pay association assessments for the property located at 730 Charismatic Drive, Oswego, Illinois 60543. (Exhibit "A").
3. That pursuant to CHURCHILL CLUB MASTER's governing documents, which have been recorded with the Recorder of Deeds of Kendall County, Illinois, a lien attaches to the property of the Debtors to secure unpaid assessments and other obligations arising out of ownership of a unit under the jurisdiction of CHURCHILL CLUB MASTER.

4. At the time Debtors filed the chapter 13 petition on February 8, 2019, Debtors owed the amount of \$4,721.51 for past due assessments, late fees and attorney fees to CHURCHILL CLUB MASTER. (Exhibit "A").

5. Debtors' plan fails to fully and properly account for CHURCHILL CLUB MASTER secured interest in the subject real estate and the pre-petition arrearage.

6. As a result of CHURCHILL CLUB MASTER lien rights in Debtors' real estate and the proof of claim filed on March 7, 2019, CHURCHILL CLUB MASTER, should be included in Debtors' chapter 13 plan as a secured creditor in the amount of \$4,721.51.

7. As a result of Debtors' failure to fully account for the pre-petition secured debt owed to CHURCHILL CLUB MASTER, confirmation of Debtors' February 8, 2019 plan should be denied.

WHEREFORE, CHURCHILL CLUB MASTER prays this court for entry of the attached order denying confirmation of the Debtors' plan filed February 8, 2019, and for any such other and further relief as this court deems just and equitable within the premises.

THE MASTER OPERATING
ASSOCIATION OF CHURCHILL
CLUB

By:


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